

## **REMARKS**

Claims 1, 4-8, 12-16, 18, 21-28 and 36 are pending in the application.

Claim 1 is amended above to incorporate the features of claims 9 and 19. Claim 16 is amended above to conform the language of the claim to the language used in claim 1. Claim 18 is amended to include the feature of claim 20. Claim 22 is amended above to make the claim more definite. Claims 3, 9, 17 and 19 have been cancelled from the application without prejudice.

Claims 29-35 remain withdrawn from consideration.

No new matter has been added to the application by these amendments.

The examiner's claim rejections are overcome or they are traversed as set forth below.

### **I. THE CLAIM OBJECTIONS**

The examiner objected to claims 3, 16 and 22. The examiner's rejection of claim 3 is overcome by canceling the claim from the application without prejudice. The rejection of claim 16 is overcome by amending the language used in claim 16 so that it corresponds to language used in claim 1. The examiner's rejection of claim 22 is overcome by amending the claim in a manner that causes it to be narrower than claim 18 from which claim 22 depends.

### **II. THE 112, 1st PARAGRAPH REJECTION OF CLAIM 3**

The examiner's rejection of claim 3 under 35 USC § 112 first paragraph is rendered moot as claim 3 is cancelled from the application above.

### **II. THE ANTICIPATION REJECTIONS**

#### **A. The Tuck et al. Anticipation Rejection**

The examiner rejected claims 1, 3-8, 12-19 and 21-28 for being anticipated by Tuck et al.

The rejection of claims 1, 3-8, and 12-17 is rendered moot by amending claim 1 above to include the feature of claim 9, which was not rejected for anticipation by the examiner in view of Tuck et al.

The rejection of claims 18-19 and 21-28 is rendered moot at least by amending claim 18 above to include the feature of claim 20, which was not rejected for anticipation by the examiner in

view of Tuck et al.

**B. The Ma et al. Anticipation Rejection**

The examiner rejected claims 1, 4-8, 12-15, 18, 20, 23-26 and 28 as being anticipated by Ma et al.

The examiners rejection of claims 1, 4-8, and 12-15 is rendered moot by amending claim 1 above to include the feature of claim 9, which was not rejected by the examiner for anticipation by Ma et al.

The examiner's rejection of claims 18, 20, 23-26 and 28 is rendered moot by amending claim 18 above to include the feature of claim 19, which was not rejected by the examiner for anticipation by Ma et al.

Moreover, the examiner's rejection of claims 18, 20, 23-26 and 28 is without support. Claim 18 is amended above to include the feature of claim 20 - a step whereby the field emitter formulation is measured for a desired vertical resistance. It is the examiner's position that Ma et al. discloses measuring the emitter properties at paragraph 179. Claim 18, as amended, recites a particular measurement – measuring the desired vertical resistance of the composition. Such a measurement is not disclosed in Ma et al. Moreover, Ma et al. does not disclose any measurements made to the field emitter formulation. Instead, the excerpt of Ma et al. cited by the examiner describes testing performed on diodes prepared using the material. For at least this reason, Ma et al. does not destroy the novelty of claims 18, 20, 23-26 and 28.

**C. The Arthur et al. Anticipation Rejection**

The examiner rejected claims 1, 3-8 and 12-15 for being anticipated by Arthur et al.

The examiner's rejection of claims 1, 4-8 and 12-15 is are moot in view of the amendment of claim 1 above to include the feature of claim 9, which was not rejected by the examiner for anticipation in view of Arthur et al.

**D. The Kishimoto Anticipation Rejection**

The examiner rejected claims 1, 3-8, 12-16, 18, 21-24 and 26-28 for being anticipated by Kishimoto et al.

The examiner's rejection of claims 1, 3-8 and 12-16 is rendered moot by amending claim 1 above to include the feature of claim 9, which was not rejected by the examiner for anticipation in

view of Kishimoto.

The examiner's rejection of claims 18, 21-24 and 26-28 is rendered moot by amending claim 18 above to include the features of each of claims 19-20, which were not rejected by the examiner for anticipation in view of Kishimoto.

#### **IV. THE OBVIOUSNESS REJECTIONS**

##### **A. The Blanchet-Fincher et al. and Ma et al. Obviousness Rejection**

The examiner rejected claims 1, 3-9, 12-15, 18 and 20-28 as being obvious over Blanchet-Fincher et al. in view of Ma et al. or in view of Tuck et al.

The examiner's rejection of claims 1, 3-9, 12-15 is moot as claim 1 is amended above to include the feature of claim 17, which is not rejected for obviousness over the prior art recited above.

The examiner's rejection of claims 18 and 20-28 is moot in view of the amendment of claim 18 above to include the feature of claim 19, which is not rejected for obviousness over the prior art recited above.

##### **B. The Tuck et al. and Blanchet-Fincher Obviousness Rejection**

The examiner rejected claims 9 and 20 for being obvious over Tuck et al. in view of Blanchet-Fincher et al. The examiner's rejection of claims 9 and 20 are moot as those claims are cancelled from the application by this amendment.

##### **C. The Tuck et al., Ma et al. And Hattori et al. Obviousness Rejection**

The examiner rejected claim 36 over Tuck et al. in view of Ma et al or in view of Hattori et al. The examiner's rejection is overcome by amending claim 36 above to include the addition of a third, powdered silica ingredient, into the composition made by the claimed method.

### **CONCLUSION**

Pending claims 1, 4-8, 12-16, 18, 21-28 and 36 are believed to be patentable for the reasons indicated above. Favorable reconsideration and allowance of all pending application claims is, therefore, courteously solicited.

Respectfully Submitted

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